

ATTORNEY DOCKET NO: 71699

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : PERINI  
Serial No : 10/527,903  
Confirm. No : 9066  
Filed : March 14, 2005  
For : APPARATUS AND METHOD...  
Art Unit : 1791  
Examiner : James D. Sells  
Dated : July 7, 2008

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REPLY BRIEF

In response to the Examiner's Answer of May 9, 2008 Applicant hereby replies.

103(a) rejection - Eisenschmidt in view of Kubo et al.

The Examiner's Answer states that the abstract of Kubo et al. describes material 4b as a hard chrome plate film. Applicant respectfully disagrees as the reference should be given a fair reading for what it teaches. Kubo et al. discloses a metal layer consisting of seamless tubular product composed of nickel obtained by an electric casting method and a coated film composed of chromium for covering the tubular product. The nickel tube prepared by the electric casting is easily plastically deformed by a local stress and the formation of a chromium coated film on the surface of the nickel tube provides elasticity (page 10, paragraph [0021]). As such, Applicant respectfully disagrees with the Examiner's position that Kubo et al. discloses

a hard chrome plate film as Kubo et al. clearly teaches that the chromium coated film on the surface of the nickel tube provides a resilient surface and not a hard surface as featured in the present invention. Kubo et al. further discloses in paragraph [0023] on page 11 that if the thickness of the chromium coated film is less than 0.01 mm, the degree of elasticity may not be enough to prevent the tube from being easily plastically deformed by a local stress. Thus, Kubo et al. clearly discloses that it is crucial that the roller has a resilient surface, but fails to direct the person of ordinary skill in the art toward a roller having a hard outer surface that is supported by an elastic surface as featured in the claimed combination.

As to the other points raised in the Examiner's Answer these are already addressed in Appellant's Appeal Brief filed March 31, 2008.

For all the above reasons and those stated in Appellant's Appeal Brief, the Board is respectfully requested to overturn the rejections in the last Office Action.

Further action on the merits is respectfully requested.

Respectfully submitted  
for Applicant,

A handwritten signature in black ink, appearing to read 'J. McGlew', with a stylized flourish at the end.

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- and -



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71699-11

DATED: July 7, 2008  
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SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE  
IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 13-  
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